

## **REMARKS**

Claims 1, 2, 4-11, 29 and 32 are pending in the application. By this Amendment, Claims 1, 29 and 32 are amended, Claims 12-28, 30 and 31 are canceled as being drawn to a non-elected invention, and Claims 3 and 33 are canceled without prejudice or disclaimer of the subject matter contained therein. Favorable reconsideration is respectfully requested in light of the following Remarks.

### **I. The Claims Satisfy the Requirements of 35 U.S.C. 112, Second Paragraph**

The Office action rejects Claims 29, 32 and 33 under 35 U.S.C. 112, second paragraph asserting that Claim 29 is unclear. The rejection is respectfully traversed.

By this Amendment, independent Claim 29 is amended to recite a program storage device readable by an electronic data processing apparatus, tangibly embodying a program of instructions executable by the apparatus to perform various method steps.

It is respectfully submitted that amended Claim 29 is now clear that the program storage device causes an electronic data processing apparatus to perform various steps when executed by the apparatus.

For at least this reason, amended Claim 29 satisfies the requirements of 35 U.S.C. 112, second paragraph. Withdrawal of the rejection is respectfully requested.

### **II. The Claims Define Statutory Subject Matter**

The Office action rejects Claims 29, 32 and 33 under 35 U.S.C. 101 asserting that it is unclear whether the claim is directed to a computer readable medium or a system. The rejection is respectfully traversed.

By this Amendment, independent Claim 29 is amended to recite a program storage device readable by an electronic data processing apparatus, tangibly embodying a program of instructions executable by the apparatus to perform various method steps.

It is respectfully submitted that amended Claim 29, which is directed to a program storage device that tangibly embodies a program of instructions executed by an electronic data processing apparatus defines statutory subject matter.

For at least this reason, amended Claim 29 satisfies the requirements of 35 U.S.C. 101. Withdrawal of the rejection is respectfully requested.

### **III. The Claims Define Patentable Subject Matter**

1. The Office action rejects Claims 1-7, 29, 32 and 33 under 35 U.S.C. 103 over Hunter et al. (U.S. Published Application No. 2004/0064357, hereinafter "Hunter") in view of Kakouros et al. (U.S. Published Application No. 2004/0088211, hereinafter "Kakouros"). The rejection is respectfully traversed.

By this Amendment, independent Claims 1 and 29 are amended to substantially incorporate the feature of dependent Claim 3 to further define that the de-trending operation uses de-trending logic to reduce the error in the predicted value based on the standardized score calculated in the trending logic, wherein the de-trending operation comprises the steps of:

- computing an actual mean of actual values for the specified time interval;
- computing an actual standard deviation of actual values for the specified time interval; and
- computing the output result by multiplying the standardized score calculated in the trending logic by the actual standard deviation to produce a product, and adding the actual mean to the product.

Contrary to the Office action, the above steps for the de-trending operation is not a standardized z-score calculation using the equation  $x = zs + m$ , but is a novel approach to reduce error in the predicted value based on the standardized score calculated by the trending logic step of the invention. Thus, Applicant seasonably challenges the Office Notice taken by the Examiner on Page 10 of the Office action that the de-trending operation of the claimed invention is a standardized z-score calculation.

For at least this reason, Claims 1 and 29 are allowable over the applied art, taken singly or in combination. Claims 2 and 4-7, which depend from Claim 1, and Claim 32, which depends from Claim 29, are likewise allowable over the applied art, taken singly or in combination. Withdrawal of the rejection is respectfully requested.

2. The Office action rejects Claims 8-10 under 35 U.S.C. 103 over Hunter in view of Kakouros, and further in view of Shike et al. (U.S. Published Application

No. 2004/0054600, hereinafter "Shike"). The rejection is respectfully traversed.

Claims 8-10 depend from Claim 1. As mentioned in III.1 above, there is no mention in Hunter and Kakouros of the de-trending operation of the claimed invention. Shike adds nothing to overcome this shortcoming in Hunter and Kakouros. Thus, the combination of the applied art does not teach or suggest all the claim limitations, as recited in Claim 1, and the Office action fails to establish a *prima facie* of obviousness.

For at least this reason, Claims 8-10 are allowable over the applied art, taken singly or in combination. Withdrawal of the rejection is respectfully requested.

#### **IV. Conclusion**

In view of the foregoing, it is respectfully submitted that the application is in condition for allowance. Favorable consideration and prompt allowance of the application is earnestly solicited.

Should Examiner Kardos believe anything further would be desirable in order to place the application in better condition for allowance, the Examiner is invited to contact the undersigned attorney at the telephone number listed below.

It is believed that any additional fees due with respect to this paper have already been identified. However, if any additional fees are required in connection with the filing of this paper, permission is given to charge account number 07-0868 in the name of General Electric Company.

19 March 2009

Respectfully submitted,

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